

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

VIASAT, INC.,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION and  
WESTERN DIGITAL TECHNOLOGIES, INC.,

Defendants.

Case No. 6:21-cv-01230-ADA

**ORDER MODIFYING THE SCHEDULING ORDER**

Before the Court are Plaintiff Viasat, Inc.’s and Defendant Western Digital Technologies, Inc.’s Competing Proposals to Modify the Scheduling Orders. The Court, having considered the same, ORDERS that certain deadlines are modified as noted below.

<b>Current Deadline</b>	<b>New Deadlines</b>	<b>Event</b>
	7/28/2023	Deadline for document production to be substantially complete, where “substantially complete” means that both parties believe in good faith that they’ve identified and produced all the documents requested (with the understanding that there may be a small number of outstanding items or documents that support the party’s case in chief)
6/1/2023	8/31/2023	Final Infringement Contentions
6/8/2023	9/7/2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
6/15/2023	8/31/2023	Final Invalidity Contentions

Current Deadline	New Deadlines	Event
6/12/2023	9/11/2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, the parties are to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues
7/10/2023	10/10/2023	Close of Fact Discovery
7/17/2023	10/17/2023	Opening Expert Reports
8/14/2023	11/14/2023	Rebuttal Expert Reports
9/5/2023	12/5/2023	Close of Expert Discovery
9/11/2023	12/11/2023	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer
9/18/2023	12/19/2023	Dispositive motion deadline and Daubert motion deadline
10/2/2023	1/9/2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery, and deposition designations)
	1/11/2024	Opposition to dispositive motion and Daubert motions
	1/16/2024	Reply to opposition dispositive motion and Daubert motions
10/16/2023	1/23/2024	Serve objections to pretrial disclosures/rebuttal disclosures
8 weeks before trial	8 weeks before trial	Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates
10/23/2023	1/30/2024	Serve objections to rebuttal disclosures; file Motions <i>in limine</i>
10/30/2023	2/6/2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery, and deposition designations); file oppositions to Motions <i>in limine</i>

Current Deadline	New Deadlines	Event
11/6/2023	2/13/2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com
11/6/2023	2/13/2024	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i>
3 business days before Final Pretrial Conference [11/15/2023, or as soon as practicable]	2/21/2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i>
TBD at the Court's convenience [11/20/2023, or as soon as practicable]	2/27/2024	Final Pretrial Conference. Held in person unless otherwise requested
TBD at the Court's convenience [12/11/2023, or as soon as practicable]	3/18/2024	Jury Selection/Trial

Signed this 2nd day of June, 2023.

  
 THE HONORABLE ALAN D ALBRIGHT